

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CRIMINAL CASE NO. 3:08cr14

UNITED STATES OF AMERICA,

vs.

RAUL DIAZ MARTINEZ.

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ORDER

THIS MATTER is before the Court on the Motion for Special Admission filed by attorney Matthew J. Kappel.

Mr. Kappel, who is an attorney licensed to practice law in the State of South Carolina, moves the Court for special admission to represent the Defendant in this matter. Counsel previously filed a motion for admission *pro hac vice* on February 20, 2008, but the Court deferred ruling on said motion until such time as counsel made the required showing for special admission pursuant to Local Criminal Rule 44.1(B)(4)(c).

Local Criminal Rule 44.1 provides that counsel who is a member in good standing of any state, district, or territorial Bar, may move for “special admission,” or admission without the association of local counsel, upon a showing of good and adequate cause. L.Cr.R. 44.1(B)(4)(c). Additionally,

because the right to counsel includes the right to *effective* assistance of counsel, a request for special admission also requires an "averment of familiarity with North Carolina trial practices as well as the Local Rules."

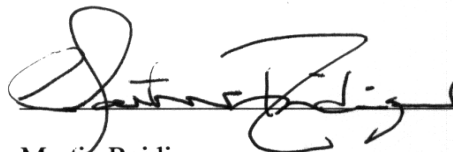
Id.

Upon careful review and consideration, the Court finds that counsel has shown that "good and adequate cause" exists for his special admission in this case. Additionally, counsel has averred that he is familiar with North Carolina trial practices, as well as the Court's Local Rules.

IT IS, THEREFORE, ORDERED that the Motion for Special Admission filed by attorney Matthew J. Kappel is **GRANTED**, and the Motion to Be Admitted Pro Hac Vice previously filed by Mr. Kappel is therefore **DENIED AS MOOT**.

IT IS SO ORDERED.

Signed: February 26, 2008


Martin Reidinger
United States District Judge

